THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6114 of 2007

Dated:29.03.2007

Between:

Eruvuru Venku Reddy.

… Petitioner

AND

The Assistant Commissioner.

… Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6114 of 2007

ORDER:

The petitioner is allegedly a member of the family who founded Sri Laxmi Prasanna Venkateswara Swamy Temple, North Rajupalem Village of Kodavuru Mandal in Nellore District. He filed the instant Writ Petition challenging the notice bearing Rc.No.A3/874/2007, dated 12.03.2007, issued by the respondent inviting applications from qualified persons for being appointed as members of the Non Hereditary Board of Trustees. The notification is, *inter alia,* challenged on the ground that it is not in strict compliance with Rule 4(1) read with Form-I of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Appointment of Trustees Rules, 1987 (for short 'the Rules'), read with Section 17(3) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987. Reliance is also placed on a recent judgment of this Court in W.P.No.966 of 2007, dated 18.01.2007.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Endowments, it must be held that the question raised herein is squarely covered by the judgment of this Court referred to hereinabove. Rule 4 of the Rules requires a notice in Form-I giving twenty days time from the date of publication of the notice to all the eligible persons applying for being appointed as Trustees. Curiously, the impugned notice does not even specify the time in paragraph 2 thereof. This is not disputed by the learned Assistant Government Pleader.

Therefore, on limited ground, the impugned notice is set aside. This Court observes that it shall be open to the respondent to proceed with the

appointment of members of Non Hereditary Board of Trustees in accordance with the Rules.

The Writ Petition is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

29.03.2007

Note: Issue C.C today.

B/o.

vs